

1 HB755
2 141843-2
3 By Representative Boothe
4 RFD: Agriculture and Forestry
5 First Read: 26-APR-12

ENGROSSED

A BILL
TO BE ENTITLED
AN ACT

To amend Section 6-5-332.3, Code of Alabama 1975, relating to an automated external defibrillator; to remove the requirement that a defibrillator requests delivery of an electrical impulse.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 6-5-332.3, Code of Alabama 1975,
is amended to read as follows:

"§6-5-332.3.

"(a) The Legislature of the State of Alabama finds
the following:

"(1) Early defibrillation may sustain the life and temporarily stabilize a person in cardiac arrest, thus helping to preserve the Alabama family.

"(2) The American Heart Association estimates that more than 350,000 Americans die each year from out of hospital sudden cardiac arrest, and 20,000 deaths may be prevented each year if automated external defibrillators were more widely available.

1 "(b) It is the intent of the Legislature that an
2 automated external defibrillator may be used for the purpose
3 of saving the life of another person in cardiac arrest.

4 "(c) As used in Section 6-5-332, the term "automated
5 external defibrillator" or "AED" means a medical device heart
6 monitor and defibrillator that meets all of the following
7 specifications:

8 "(1) Has received approval of its pre-market
9 notification filed pursuant to Section 360 (k), Title 21 of
10 the United States Code from the United States Food and Drug
11 Administration.

12 "(2) Is capable of recognizing the presence or
13 absence of ventricular fibrillation or rapid ventricular
14 tachycardia and is capable of determining, without
15 intervention by an operator, whether defibrillation should be
16 performed.

17 "(3) Upon determining that defibrillation should be
18 performed, either automatically charges and requests delivery
19 of an electrical impulse through the chest wall and to an
20 individual's heart or automatically charges and requests
21 delivery of an electrical impulse through the chest wall and
22 to an individual's heart.

23 "(d) A person or entity that acquires an AED shall
24 ensure all of the following:

25 "(1) That expected defibrillator users receive
26 appropriate training in an American Heart Association,
27 American Red Cross, or other nationally recognized

1 cardiopulmonary resuscitation (CPR) course and AED, or an
2 equivalent nationally recognized course.

3 "(2) That the defibrillator is maintained and tested
4 according to the manufacturer's operational guidelines.

5 "(3) That there is involvement of a licensed
6 physician or medical authority in the site's AED program to
7 ensure compliance with training, notification, and
8 maintenance.

9 "(4) That any person who renders emergency care or
10 treatment of a person in cardiac arrest by using an AED
11 activates the emergency medical services system as soon as
12 possible.

13 "(5) That each manufacturer, wholesale supplier, or
14 retailer of an AED notifies purchasers of AED's intended for
15 use in the State of Alabama of the requirements of this
16 section.

17 "(e) A person or entity who acquires an automated
18 external defibrillator shall notify the local emergency
19 communications center or dispatch center of the existing
20 location and type of AED.

21 "(f) This section shall not apply to an individual
22 using an AED in an emergency setting if that individual is
23 acting as a good samaritan pursuant to Section 6-5-332."

24 Section 2. This act shall become effective on the
25 first day of the third month following its passage and
26 approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Agriculture and
Forestry..... 26-APR-12

Read for the second time and placed
on the calendar 1 amendment 01-MAY-12

Read for the third time and passed
as amended..... 09-MAY-12

Yeas 90, Nays 0, Abstains 1

Greg Pappas
Clerk